

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

The claims have been re-written to obviate the Examiner's rejections under 35 U.S.C. §112 and to put the claims in better form for the U.S. practice. The amended claims recite metes and bounds of the invention clearly and definitely. Consequently, it is requested that the rejections under 35 U.S.C. §112 be reconsidered and withdrawn.

Claims 1-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Beggs et al. (US 6,218,350). Applicants respectfully traverse the rejection. Applicants respectfully submit that the Examiner has not made a *prima facie* case of obviousness. Beggs differs from the present invention in several elements including, for instance, the absence of any teaching of granulation of the antibody with the alkali metal salt. In any event, Convents does not appear to be citable against the present invention under 35 U.S.C. §102(e)/§103 due to the common ownership. See the attached statement.

In light of the above amendments and remarks, it is respectfully requested that the application be allowed to issue.

Applicants respectfully request the Examiner's acknowledgement of the receipt of the Preliminary Amendment (mailed October 31, 2002) requesting to Correct Inventorship and accompanying statement under 37 CFR §1.48(a) and respectfully request the issuance of a corrected Filing Receipt stating the correct inventorship.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attachment is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,



Rimma Mitelman
Registration No. 34,396
Attorney for Applicant(s)

RM/sa
(201) 840-2671

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Claims 1, 3 – 5, 11 and 12 have been amended as follows:

1. (Amended) Antibody granule ~~consisting essentially of~~ comprising one or more antibodies, or fragments derived thereof, granulated with an alkali metal salt.
3. (Amended) Antibody granule according to claim 1, wherein the granule consists for more than 80%, ~~preferably more than 90%~~ of the alkali metal salt.
4. (Amended) Antibody granule according to claim 1, further comprising a ~~polymeric binder polymer~~.
5. (Amended) Antibody granule according to claim 1, wherein the antibody has a chemical equilibrium constant K_d for its antigen of less than $1 \cdot 10^{-4}$, ~~preferably less than $1 \cdot 10^{-6}$~~ .
11. (Amended) Process according to claim 10, whereby the temperature is of 30°C or higher, ~~preferably from 30°C to 80°C~~.
12. (Amended) Process according to claim 10, whereby the pH is kept at a value from 6.0 to 10.0, ~~preferably from 7.0 to 9.0~~.

New claims 13-16 have been added.